

REMARKS/ARGUMENTS

The Office Action mailed September 17, 2003 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Information Disclosure Statement

Applicants hereby respectfully submit, for the Examiner's official acknowledgement, a PTO-1449 form listing the references cited in the International Search Report for PCT/FR00/02634 in accordance with 37 CFR 1.98 (a)(1). Please note that copies of the references are not attached herewith because the Examiner has already considered the references, as noted in the Office Action page 2, paragraph 3, whose copies should be available from the international sage of this application.

Please note that the PTO-1449 form also includes references which have not considered by the Examiner due to the improper listing, now with necessary information. The previously listed patent applications are now issued as patents, and thus listed as U.S. Patent Documents in the PTO-1449 form. The Examiner's acknowledgement is respectfully requested.

Oath/Declaration

Submitted herewith is a supplemental application data sheet (ADS) to provide the post office addresses of the applicants in order to supplement the information on the Declaration.

Claim Status and Amendment to the Claims

Claims 1-22 are now pending.

Applicants gratefully acknowledge the indication of allowance of claim 8 and 20-22. Applicants are further grateful for the indication of allowability of claim 19, subject to its re-writing in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 3, 7, 9-12, 15, 18, 20-22 have been amended to use proper abbreviations of the metric system in accordance with the Examiner's suggestion. The amendment also contains minor changes of a clerical nature.

No "new matter" has been added by the amendment.

Amendment to the Specification

The specification has been amended to use proper abbreviations of the metric system in accordance with the Examiner's suggestion.

The specification has also been amended to provide information on a related patent application.

Additionally, a new ABSTRACT OF THE DISCLOSURE, which includes a single paragraph within 150 words, is submitted herewith to comply with formality requirements.

Judicially-Created Double Patenting

Claims 1-7 and 9-18 stand rejected pursuant to the judicially-created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 12-16, 20,

and 22 of co-pending Application No. 09/926,328, now claims 1-5, 9 and 11 of U.S. Pat. No. 6,727,503 (Gerstenmayer), issued April 27, 2004.

Submitted herewith to obviate this rejection is a Terminal Disclaimer in compliance with 37 CFR §1.321(c), signed by an attorney of record, Robert E. Krebs (Reg. No. 25,885). Accordingly, is respectfully requested that the obviousness-type double patenting rejection be withdrawn.

Change of Office Records

Please change the Office record for the Attorney Docket No. to 034299-390.

Also, please change the Office record for the correspondence address to the address associated with Customer Number 46,188. Submitted herewith as a separate paper is PTO Form 81 "Power of Attorney and Correspondence Address Indication Form."

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Allowable Subject Matter

The Examiner is thanked for the kind allowance of claim 8 and 20-22, and for finding of allowable subject matter in claim 19 if rewritten in independent form including

all of the limitations of the base claim and any intervening claims. Applicants acknowledge the Examiner's statement of reasons for allowance as set forth in the Office Action. However, Applicants point out that the reasons for allowability of the above referenced claims are not limited to the reasons for allowance as set forth in the Office Action, and that additional reasons for allowability may exist, each of which may be independently sufficient to establish the patentability of one or more pending claims.


Applicants respectfully reserve the right to introduce, articulate, or otherwise comment on any such additional reasons for allowance as may be appropriate in any future proceedings concerning the claimed invention.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST, LLP

Dated: January 6, 2006



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